

STATE OF MICHIGAN
COURT OF APPEALS

TRAVIS TURNER, III, Individually and as Next
Friend of KRISTINA MARIE TURNER,

Plaintiff-Appellant,

v

GRAND RAPIDS BOARD OF EDUCATION,
AMY MABIN, LARRY JOHNSON, CITY OF
GRAND RAPIDS, EDWARD WALKER, and
TONYA M. MILLER, Individually and as Next
Friend of BREANNA MILLER,

Defendants-Appellees.

UNPUBLISHED
May 9, 2006

No. 267193
Kent Circuit Court
LC No. 05-007865-CZ

Before: White, P.J., and Fitzgerald and Talbot, JJ.

WHITE, P.J. (*concurring in part and dissenting in part*).

I concur in the affirmance of the grant of summary disposition to defendants and the denial of default and judgment against defendant Miller. I dissent from the affirmance of the award of sanctions. It has not been shown that plaintiff had “no reasonable basis to believe that the facts underlying [plaintiffs’] legal position were in fact true,” or that plaintiff maintained a legal position that was “devoid of arguable legal merit.”

/s/ Helene N. White